XIIIB

REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE IN OUDH

FOR THE

YEAR ENDING 31ST DECEMBER, 1885.

Allahabad
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ADMINISTRATION OF CRIMINAL JUSTICE IN OUDH

During the Year ending 31st December, 1885.

No. 1745 OF 1885.

FROM

W. YOUNG, ESQ.,

OFFG. JUDICIAL COMMISSIONER, OUDH,

TO

THE SECRETARY TO GOVERNMENT,

N.-W. PROVINCES AND OUDH, JUDICIAL (CRIMINAL) DEPT.

Dated Lucknow, the 9th September, 1886.

SIR,

I HAVE the honor to submit a report on the administration of criminal justice in Oudh for the year 1885, with the prescribed returns, and to forward the reports of the Commissioners and Deputy Commissioners in original.

2. I regret the delay that has occurred in submitting this report. The reasons are threefold :—

Firstly.—The district returns were in a new form prescribed in 1884, and many of the district offices misunderstood them, thus compelling frequent returns of the statements for correction.

Secondly.—This office returns have this year, for the first time, to be prepared in the North-Western Provinces provincial forms, and, my establishment being unacquainted with them, great additional labour was entailed.

Thirdly.—The undermanned and overworked condition of my office. My predecessor earnestly solicited that a compiler might be sanctioned for this office. This the Government did not find itself able to grant. The consequence has been that the much-overworked Registrar has had to do a large part of the work himself, and his labour has been much increased by the fact that our late General Assistant, Mr. Anthony, has left the office, and his successor, Mr. Maling from Cawnpore, though very assiduous, was quite new to the work. Mr. Hoskins has worked late and early, on holidays as well as office days, and has required similar efforts from his subordinates. Much, therefore, as I regret the delay that has this year occurred, I cannot consider that this office is responsible therefor. We are so shorthanded that the loss of one good clerk and the introduction of new forms are quite enough to throw us behind.

IMPERIAL RETURN No. I. Number of tribunals.

3. On the 31st December, 1885 there were 173 criminal tribunals in Oudh, inclusive of 13 benches of Honorary Magistrates. The Nawabganj (Gonda district) and Bara Banki municipal benches have been added to the list given in the previous year's report.

The staff of officers in the criminal department consisted of—

Europeans and Statutory Civilians ...	Covenanted	21
	Military	11
	Uncovenanted	15
Natives		213

4. The number of offences reported during 1885 was 71,765, nearly the same as the number for 1884, which was 71,457.

IMPERIAL RETURN No. II.
Offences reported.

The point raised by the Commissioner of Lucknow, to which I drew attention in my report for 1884, regarding what reports should be included in "offences reported," has been decided by the Supreme Government in its letter No. 170, dated 8th February, 1886: and in future only offences brought to the knowledge of a Magistrate will be accounted for in the column "offences reported."

Cases struck off.

5. In 1884 the number of complaints held by Magistrates to be vexatious or frivolous and those dismissed under section 203, Criminal Procedure Code, aggregated 11,304, whereas during the year under report 14,040 cases were thus disposed of. The greater portion of the increased number of complaints struck off or dismissed (section 203) falls under the following headings :—

	Reported.	*Struck off or dismissed.*
Offences against public tranquillity	881	342
Hurt	10,642	4,238
Wrongful restraint	393	292
Criminal force or assault	3,108	1,490
Theft	20,349	1,548
Mischief	2,118	904
Criminal trespass	15,983	1,444
Defamation	465	337
Offences under special laws	11,471	1,303

DISTRICT RESULTS.
Cases struck off.

6. During 1885 the number of cases struck off from the police returns by order of Magistrates was 2,921, being 23 less than in 1884.

7. The Magistrates and Commissioners show several good reasons which often prevent the courts from awarding compensation under section 250, Criminal Procedure Code. At the same time I think that in many instances the section is simply overlooked. The provisions of this section are wholesome, and I shall be glad to see them more freely employed.

Complaints dismissed.

8. The districts of—

Fyzabad	+ 443
Sultanpur	+ 569
Gonda	+ 256
Hardoi	+ 240
Partabgarh	+ 271
(City) Lucknow	+ 302
Lucknow district	+ 237

are those in which the Magistrates seem to have most freely used their powers under section 203, as compared with the previous year.

Cases brought to trial.

9. Inclusive of 370 cases which remained pending at the close of the previous year, 28,982 cases were brought to trial during 1885, as against 30,566 in 1884. The following are the district figures for the years referred to :—

District.	1884.	1885.	*Difference.*
Sultanpur	1,360	1,882	+ 522
Fyzabad	2,702	2,985	+ 283
Rae Bareli	1,633	1,845	+ 212
Lucknow	1,841	1,978	+ 137
Bara Banki	1,897	1,994	+ 97
Gonda	2 565	2,609	+ 44
Unao	1,550	1,570	+ 20
Lucknow City	5,084	3,474	— 1,610
Partabgarh	1,803	1,424	— 379
Bahraich	2,195	1,994	— 201
Hardoi	3,100	2,918	— 182
Sitapur	2,978	2,843	— 135
Kheri	1,540	1,466	— 74

As to the Hardoi figures I note that Mr. McConaghey says that this district was more than usually turbulent during the middle six months of the year, but heavy sentences, where called for, soon reduced crime to its normal proportions. He adds, and I quite agree with him, that Hardoi requires a strong staff of Magistrates and capable police officers. The increase in Sultanpur is due (1) to the inclusion of 204 cases falling under Chapter VIII., Criminal Procedure Code; (2) to a larger number of prosecutions for breach of stamps laws, and (3) to an increased disposition to resort to the court in cases of petty assault. In Fyzabad and Rae Bareli the increase is due to a larger number of nuisance, hurt, and theft cases being prosecuted. The noticeable decrease in the figures for the city of Lucknow is mainly due to the number of municipal bye-law cases tried by the Lucknow bench having fallen from 4,090 in 1884 to 2,554 in 1885. In Partabgarh the decrease is due to fewer offences being reported in 1885 than in 1884. In Bahraich only 1,121 cases of offences against the human body were reported during 1885 as against 1558 in 1884.

Persons brought to trial.

10. During the year under report 55,223 persons were under trial as against 57,316 in 1884. This decrease corresponds to the fewer cases brought to trial this year than last.

Out of 55,223 persons under trial—

27,821,	or	50·3	per cent.,	were acquitted or discharged.
26,245	,,	47·5	,,	were convicted.
116	,,	·2	,,	died, escaped, &c.
1,041	,,	1·8	,,	remained under trial.

General results.

11. The following comparative statement gives the figures for the years 1884 and 1885 :—

	1884.	1885.
Cases reported	71,457	71,765
,, struck off and dismissed	11,304	14,040
,, returned as true	60,153	57,725
Percentage returned as true	84·17	80·4
Persons under trial	56,631	55,223
,, convicted	28,194	26,245
Percentage of convictions	49·78	47·5

12. In the undermentioned classes of cases more persons were acquitted or discharged than were convicted :—

Class of offence.	*Acquitted or discharged.*	*Convicted.*	*Percentage of convictions.*
Relating to coin or Government stamps ...	29	15	33·33
,, religion	90	12	9·03
Hurt	10,275	2,946	21·96
Wrongful restraint	167	22	11·28
Assault	2,878	674	18·69
Kidnapping	87	58	39·72
Rape	52	27	31·39
Extortion	75	16	17·39
Robbery and dacoity	98	69	38·98
Cheating	79	50	37·31
Mischief	958	253	20·45
Criminal trespass	1,769	1,663	46·81
Relating to documents or trade marks ...	37	15	24·77
,, marriage	805	183	17·87
Defamation	164	29	14·5
Criminal intimidation and annoyance	112	54	32·14

The small percentage of convictions to acquittals in cases of hurt (21·96) is remarkable and, when the large number of persons concerned is considered, cannot be deemed satisfactory. No doubt a large number of such cases are settled amicably out of court; but, after making every deduction on this account, it seems still probable that cases of this kind are too readily admitted on the register, and this notwithstanding the fact that a large number of cases (4,238 out of 10,642) were struck off or dismissed in the year under review.

Similar remarks apply to assaults, where the percentage of conviction is only 18 69.

The percentage of conviction for the heinous crime of rape, though higher than last year, is also very bad—a result which, I think, points to bad investigation by the police. In mischief too, considering the large number of persons charged (2,118), the percentage of conviction (20 45) is very bad. This offence is often mischief by fire-raising, and the inherent difficulties of proving this crime explain to some extent the want of success.

The percentage of convictions is much higher in offences under the heads kidnapping, robbery and dacoity, cheating, relating to marriage, criminal intimidation and annoyance, than it was during 1884. It is, however, lower as regards the other classes of offences as shown in the statement.

Peculiar results in districts.
Rape.

13. In Sitapur, out of 11 persons charged with this offence, 10 were discharged and 1 convicted; in Kheri 5 were discharged out of 7 brought up; in Bahraich 6 were convicted out of 9 charged, and in Sultanpur 4 were convicted and 1 discharged out of 5 brought up.

Extortion.

Twelve persons were charged with extortion in Partabgarh, of whom 11 were discharged and 1 acquitted. In Rae Bareli 23 persons were so charged, of whom 15 were discharged, 1 acquitted, and 7 convicted. Out of 22 persons so charged in Bara Banki 15 were discharged, 5 acquitted, and 2 convicted. In Sultanpur, out of 9 cases reported, 7 were struck off by the Magistrate, and 2 cases involving 6 persons, who were all discharged, were brought to trial. In Kheri 22 cases were struck off by the Magistrate out of 25 reported; 4 persons were brought to trial, of whom 1 was discharged and 3 were acquitted. In the City of Lucknow the Magistrate struck off 16 out of 19 cases reported. Three persons were brought to trial, of whom 1 was discharged, 1 acquitted, and 1 was convicted.

Dacoity.

In a case involving 19 persons that had been pending since 1884 in Bahraich 9 were discharged and 10 convicted. In Kheri 2 persons out of 6 charged were convicted, and 1 person out of 3 was convicted in Rae Bareli.

Offences relating to marriage.

One hundred and sixty-five cases were reported in Bahraich as against 77 in 1884. Ninety-five cases were struck off by the Magistrate and 27 persons were convicted out of 90 brought to trial. In Gonda 156 cases were reported: 64 were struck off by the Magistrate, 111 persons were brought to trial and 22 were convicted. In Lucknow City 141 cases were reported, of which 89 were struck off by the Magistrate. Eighty-four persons were brought to trial, of whom 16 were convicted. The percentage of convictions obtained on number of persons under trial ranges from Bahraich 30, Sultanpur 27·2, Gonda 19·8 to Sitapur 13 8, Hardoi 11·6, Unao 10·4.

Cantonments Act III. of 1880.

In Fyzabad 81 per cent. of the persons brought to trial for offences against Cantonment regulations were convicted. The percentage of convictions obtained in Lucknow was 72·3 as against 85· in 1884. In Sitapur 91 persons were convicted out of 97 under trial, being 93·4 per cent.

Contagious Diseases Act.

Only 3 persons were brought to trial in Fyzabad for offences under this head and 2 were convicted.

Criminal Tribes and Eunuchs Act XXVII. of 1871.

One hundred and thirteen persons were brought to trial at Gonda and convictions obtained against 75 persons.

Forest Act VII. of 1878.

In Bahraich 14 persons were charged with offences against forest laws and all were convicted. Convictions were obtained in Gonda against 36 out of 41 persons brought to trial. In Kheri 6 persons were brought to trial and 3 were convicted.

Gambling and Lotteries Act III. of 1867.

The number of persons brought to trial (547) and the percentage of convictions obtained (74·) were the same in 1884 as in 1885. All the persons brought to trial in Sitapur and Gonda were convicted, but not a conviction was obtained in Partabgarh. In other districts the percentage of convictions was as follows:—Lucknow, 95·1; Bahraich, 91·6; Rae Bareli, 90·; Fyzabad, 85·; Sultanpur, 83·3; Unao, 78·5; Bara Banki, 75·8; Lucknow City, 71·1; Kheri, 66 6; Hardoi, 49·5.

Municipal bye-laws.

The number of persons brought to trial for offences against municipal bye-laws fell from 10,042 in 1884 to 6,264 during the year under report. The percentage of convictions obtained varied from 45·3 in Bahraich to 97·7 in Partabgarh. The diminution of prosecution under this head is, I think, satisfactory.

Nuisances. Act V. of 1861.

The number of persons brought to trial under section 34, Act V. of 1861, were 2,700 during the year under report, as against 2,706 in the previous year. The percentage of convictions rose from 92·3 in 1884 to 95·8 during 1885, which shows that the easily abused provisions of Act V. of 1861 are not improperly employed.

Opium. Acts XIII of 1857 and I of 1878.

The number of persons (349) brought to trial for breaches of opium law was the same in 1885 as in 1884, but convictions fell from 280 in the last-named year to 267 in 1885.

Railways. Act IV. of 1883.

Sixty-seven persons were under trial during the year under report, and 55 were convicted. In 1884 there were 122 persons under trial, of whom 110 were convicted.

IMPERIAL RETURN No. III. Proceedings under Criminal Procedure Code. Frivolous or vexatious complaints.

14. Compensation was awarded in 207 cases during 1885, being 35 more than in 1884. Out of the 207 persons called upon to pay compensation 66 appear in the Fyzabad and 53 in the Gonda statements. In Lucknow, Sitapur, Hardoi, Kheri, Sultanpur, and Partabgarh compensation was wrongly awarded in some warrant cases.

Security for keeping the peace.

15. In 730 cases, involving 2,361 persons, that came before the courts during the year under report, 1,345 persons, being 56·9 per cent. on the number of persons concerned, were ordered to give security. In the previous year the percentage was 59·7.

Security for good behaviour (sections 109, 110, Criminal Procedure Code).

16. The number of persons brought before the courts under sections 109, 110, Criminal Procedure Code, was 167 (in 121 cases,) of whom 108 persons were required to furnish security. In 1884 there were 189 cases involving 327 persons before the courts.

Proceedings against public nuisances (Chapter X., Criminal Procedure Code).

17. There was a considerable decrease during the year under report, as compared with the previous year, in the number of cases and persons involved in public nuisances. In 1884 there were 347 cases and 1,199 persons, of whom 826 were convicted, before the courts, and in 1885 the figures were 198 cases, 881 persons, before the courts and 813 persons convicted.

IMPERIAL RETURN No. IV. Magisterial work.

18. As compared with the figures for 1884, there was a decrease of 6,023 in the number of persons under trial during 1885, the figures for which year stand at 55,144.

The following comparative statement gives the details of the manner in which persons were disposed of in the two years:—

	1884.	1885.
Died, escaped, or transferred	63	113
Discharged or acquitted	29 462	27,534
Convicted on regular trial	28,057	23,896
Ditto summary trial	1,716	1,634
Committed or referred	1,051	1,099
Remaining under trial	818	868
Average duration of each case (days)	7·36	6·06

The percentage of convictions fell from 49·3 in 1884 to 47· in 1885, and the average duration was much less than in 1884.

19. The work performed by the several classes of Magistrates during the years 1884 and 1885 is shown in the subjoined comparative statement :—

Class of court.	1884.		1885.	
	Number of persons disposed of.	Percentage of total number of persons disposed of.	Number of persons disposed of.	Percentage of total number of persons disposed of.
Unpaid Magistrates	...	...	4,660	8·5 } 23·3
Sitting singly	16,067	26·6	...	...
Benches of Magistrates	...	...	8,055	14·8
Local and subordinate stipendiary Magistrates.	14,976	24·8	12,785	23·5
Full-power Magistrates ... Native ...	19,558	33·4	18,165	33·4
Full-power Magistrates ... European ...	7,621	12·6	9,070	16·7
Chief Magistrates of districts ...	1 812	3·0	1,207	2·2
Deputy Commissioners under section 34, Criminal Procedure Code.	305	0·5	334	0·6

Unpaid Magistrates did a somewhat smaller share of the criminal work than in 1884, while European full-power Magistrates generally did more.

20. Details of cases disposed of by the Chief Magistrates of districts are given in the following statement :—

Names of Deputy Commissioners.	Of what district.		*Number of cases disposed of.* Under their ordinary powers.	Under section 34, Criminal Procedure Code.	Under their summary powers.	Total.
Lieut.-Col. H. W. Hastings ...	Lucknow ...	9 months ...	$\frac{42}{2}$=71	$\frac{5}{2}$=7	12	90
Mr. W. F. Wells	Lucknow ...	1 month ...	4	$\frac{3}{2}$=5	...	9
,, J. T. Crawford ...	Unao	... 1st Jan. to 21st Dec. ...	17	14	...	31
,, J. C. E. Branson ...	Bara Banki ...	6th Oct. to 9th Nov. ...	26	...	...	26
,, J. White	Bara Banki ...	Rest of year ...	78	24	11	113
,, H. H. Butts ...	Sitapur ...	... ...	68	10	4	82
Lieut.-Col. F. M. Newbery ...	Hardoi ...	1st Jan. to 16th Mar....	15	16	...	31
,, N. M. Horsford ...	Hardoi ...	17th Mar. to 26th July, 18th to 31st Dec. ...	6	5	1	12
Mr. H. F. D. Pennington ...	Hardoi ...	27th to 29th July ...	2	...	1	3
,, H. F. Bartlett ...	Hardoi ...	30th July to 2nd Nov....	5	3	4	12
,, H. W. Gibson ...	Hardoi ...	3rd Nov. to 17th Nov....	2	1	...	3
Colonel A. Murray ...	Kheri ...	17th April to 31st Dec.,	39	17	10	66
Mr. H. W. Gibson ...	Kheri ...	1st Jan. to 16th April,	13	1	5	19
Major F. Barrow ...	Fyzabad ...	46 days ...	2	...	...	2
Mr. A. Robinson... ...	Fyzabad ...	9 months 27 days ...	10	1	3	14
Lieut.-Col. F. Currie ...	Bahraich	All the year except ...	132	21	95	248
Major F. Barrow	Bahraich	30th October to 7th December.	2	...	2	4
Lieut.-Col. C. S. Noble ...	Gonda...	...All the year except from 24th Sep. to 31st Oct.	147	32	80	259
Mr C. Chapman... ...	Rae Bareli ...	... ...	27	6	18	51
,, H. B. Harington ...	Sultanpur ...	1st Jan. to 17th Mar. ...	3	...	2	5
Major E. E. Grigg ...	Sultanpur ...	18th Mar. to 31st Dec.	117	21	39	177
Mr. J. Dyson	Partabgarh ...	... ...	18	11	...	29
		Total for 1885 ...	804	195	287	1,286
		,, 1884 ...	529	180	351	1,060
			+275	+15	—64	+226

The greatest number of criminal cases were disposed of, as usual, by Lieutenant-Colonels Noble and Currie, Major Grigg and Mr. White. Colonel Murray also took an appreciable share of the criminal work of his district. Some of the other Deputy

Commissioners refrained almost entirely from exercising their powers under section 34, Criminal Procedure Code, and to this omission I partly attribute the congested state of the files in some of the sessions courts that occurred subsequently. The attention of Deputy Commissioners has been drawn to the subject.

Unpaid Magistrates. Benches of Magistrates.

21. Forty-five Honorary Magistrates, sitting singly, disposed of 1,606 cases involving 3,349 persons during 1885. Benches of Magistrates disposed of 4,725 cases involving 8,089 persons, and of these 2,450 cases and 4,402 persons were disposed of by the Lucknow City Bench. Mr. W F. Wells, the City Magistrate, writes :—

"I have to acknowledge the efficient assistance given to me by the bench of Honorary Magistrates, and by certain members especially, in making local enquiries. I may specially mention the names of Sah Gobardhan Das, Babu Sheo Parshad, and Munshi Ghazaffar Husain.

"Babu Sarat Chandar and Munshi Newal Kishore have, as usual, done nothing. At their own request their names were placed on every bench, and they have attended practically none.

"Munshi Newal Kishore is a public-spirited citizen in many ways; but I can only recommend that he and Babu Sarat Chander should retire from the bench, which they never adorn with their presence."

Besides the Lucknow bench, other benches of Honorary Magistrates did good work, as shown below :—

		Cases disposed of.
Fyzabad	bench	742
Sitapur	"	479
Rae Bareli	"	346
Khairabad	"	303
Sandila	"	121
Shahabad	"	105
Nawabganj	"	88
Bilgram	"	73

Honorary Assistant Commissioners sitting singly disposed of a great many cases during the year under report. The gentlemen who decided the larger number of cases were—in the Gonda district, Bhaiya Shambhu Dat Ram Pande 307 cases, Mir Muhammad Husain Khan 174 cases, and Bhaiya Tribhuandat Ram Pande 137 cases; in the Bara Banki district, Rai Maharaj Bali disposed of 186 cases and Saiyad Iltifat Husain disposed of 133 cases; in the Bahraich district, Munshi Muhammad Yasin disposed of 143 cases and Raja Jang Bahadar Khan disposed of 157 cases; in the Hardoi district, Mir Danish Ali disposed of 123 cases, and in Partabgarh Raja Rampal Singh disposed of 120 cases. Many other gentlemen disposed of a large number of cases.

22. Tahsildars dealt with 12,857 persons during 1885, being 2,265 less than in 1884. Native Assistants dealt with 1,352 persons less, and European Assistants dealt with 1,515 persons more in 1885 than during 1884.

Pending cases.

23. At the close of 1884 there were 364 cases pending, and at the close of 1885 only 338 cases remained pending; the highest number, 52 cases, being in Hardoi, and the lowest, 3 cases, in Lucknow.

Duration of trial.

24. The provincial average duration of cases fell from 7·36 days in 1884 to 6·06 in 1885. The lowest district averages were Lucknow city 1·43 and Lucknow district 2·29 days. The highest averages were Hardoi 12·21, Partabgarh, 11·24, and Bara Banki 10·34 days. The same districts were similarly conspicuous in 1884.

Convictions obtained.

25. In 1884 the provincial average of convictions was 49·3, but it fell to 47 in the year under report. The highest district averages are—Fyzabad 54·46, Gonda 53·21, Kheri 51·0, Sitapur 49·33, and

Unao 49·21. The lowest is Lucknow 40·40. In the Lucknow City the average is 66·80 as against 77·12 in 1884. The falling off is said to be due to the smaller number of cases disposed of by the bench during the year under report, as compared with the previous year.

26. The percentage of convictions to the total number of persons disposed of by the several classes of tribunals during the years 1884 and 1885 is here given :—

Classes of tribunals.	*Percentage of convictions to total number of persons disposed of*	
	1884.	1885.
Unpaid Magistrates sitting singly / Benches of Magistrates	64·6	36·0 / 68·8
Local and subordinate paid Magistrates	35·2	39 9
Full-power Magistrates { Native	47·2	44·1
Full-power Magistrates { European	58·9	47 4
Chief Magistrates of districts	59·4	59 3
Deputy Commissioners under section 34, Criminal Procedure Code.	77·	44 3

Summary trials.

27. There were 1,529 summary trials during 1885, being 52 more than in 1884. The sentences in 40 cases were appealable and the two sentences that were appealed were confirmed. Nine Deputy Commissioners exercised their summary powers, of whom Lieutenant-Colonel Currie disposed of 97 cases and Lieutenant-Colonel Noble 80 cases upon summary trial.

References for enhanced punishment.

28. References under section 349, Criminal Procedure Code, numbered 346 during the year under report, being 36 less than in 1884. Of the 346 sentences referred, 82·3 per cent. were confirmed, 7·2 per cent. were modified, and 10·4 per cent. were reversed.

Cases tried under section 34, Criminal Procedure Code.

29. The sentences passed on 86 persons by Deputy Commissioners, under section 34, Criminal Procedure Code, were referred to Commissioners, who confirmed the orders passed by Deputy Commissioners as regards 64 persons, modified them as regards 18 persons, and reversed the sentences passed on 4 persons.

The Commissioner, Fyzabad Division, whose sessions calendar is very heavy, writes :—

"My acknowledgments are due to Colonel Currie for the relief he has afforded me during the past year by the exercise of his special powers under section 34. He has also undertaken a large share of the ordinary criminal work of the district.

"The Deputy Commissioner (Fyzabad) has done but little work, either in the exercise of his ordinary powers or of his special powers under section 34, Criminal Procedure Code."

Dr. Duthoit, speaking of the measures necessary for coping with the heavy arrears of sessions work in Lucknow, says :—"It must be considered as a *sine quâ non* of the proposed scheme (*i.e.*, that of having an Additional Sessions Judge at Lucknow) that the Deputy Commissioner of Lucknow shall exercise the powers which the law has conferred upon him," &c., &c. With these remarks I fully concur. In Lucknow and Fyzabad Divisions the sessions work is specially heavy, and if Deputy Commissioners refrain from exercising their section 34 powers, and, instead of so doing, commit cases of a nature triable under section 34 to the sessions for trial, the result is simply that the Sessions Judge becomes swamped with work, to the great hardship of the accused and to the great discredit of the administration generally.

A remark of Mr. White, Deputy Commissioner, Bara Banki, on this important matter may be quoted. He says that without conducting section 34 trials it "is impossible for the Chief Magistrate of the district to form any opinion of the conduct, intelligence and energy of the police."

IMPERIAL RETURN No. V. Punishment.

30. The following comparative statement shows the various kinds of punishment inflicted during the years 1884 and 1885 :—

	1884.		1885.	
		Percentage on total number of punishments.		*Percentage on total number of punishments.*
Rigorous imprisonment ...	6,921	22·0	6,937	24·7
Simple ditto ...	316	1·0	305	1·0
Fine ditto ...	21,173	67·3	17,975	64·0
Whipping ditto ...	1,504	4·7	1,399	4·9
Persons ordered to give security	1,516	4·8	1,451	5·1

Imprisonment.

31. The number of persons sentenced to imprisonment during 1885 is nearly the same as in 1884. In 1885 the sentences for 15 days and under were 7 less, for 6 months and under they were 37 more, for 2 years and under they was 13 more, and for 7 years and under they were 39 less than in 1884.

Rigorous imprisonment.

32. The percentage of persons sentenced to rigorous imprisonment rose from 22·0 in 1884 to 24·7 in 1885, but the number of persons so sentenced was only 16 more than in 1884.

Simple imprisonment.

33.. The number of persons sentenced to simple imprisonment was 11 less than during 1884.

Terms of imprisonment.

34. The percentages of terms of imprisonment are here given for the two years 1884 and 1885 :—

	1884.	1885.
For 15 days and under	16·9	16·8
„ 6 months „	59·9	60·3
„ 2 years „	21·0	21·2
„ over 2 years	2·0	1·4

Whipping.

35. The number of offenders whipped during 1885 was 105 less than in 1884. The percentages of sentences for 1884 and 1885 are as follow :—

	1884.	1885.
10 stripes and under	44·	44·8
20 „ „	44·	42·4
30 „ „	11·	12·7

Fourteen boys were whipped for offences which would not have been punishable with whipping if committed by adults, being 17 less than in 1884.

The percentage of whippings, calculated on all cases in which the offenders might have been punished with whipping, fell from 22·25 (wrongly shown in last year's report as 27·60) in 1884 to 17·87 in 1885.

Persons fined.

36. There was a considerable falling off in the number of persons fined during 1885 as compared with the figures for 1884, in which year 21,173 persons were so punished, whereas 17,975 were fined during 1885. The decrease falls mainly under the heading " Rs. 10 and under " and is attributable to a decrease of 2,844 persons fined in the Lucknow City in 1885 as compared with the number fined in 1884. The Lucknow City bench only imposed 2,996 fines mostly for breach of municipal bye-laws in 1885 as against 5,500 in 1884, which figures also showed a decrease on those of 1883.

Fines imposed and realized.

37. The amount of fines imposed during the year under report aggregated Rs. 82,958, of which Rs. 72,137, or 86·9 per cent., were realized. The percentage in 1884 was 76·6. In seven districts the percentage of fines realized during 1885 exceeded the provincial percentage, ranging from 95·4 in Partabgarh to 87·5 in Unao. In the remaining districts the percentage varied from 85·7 in Fyzabad to 78·8 in Kheri. The success in realization is evidence

that the Magistrates generally have imposed fines with due regard to the circumstances of the fined.

Outstanding fines.

38. The amount of outstanding fines at the close of the year 1885 was Rs. 10,821 as against Rs. 6,630 outstanding at the close of 1884. It should be noted that outstanding includes outstandings from previous year.

Compensation awarded.

39. Out of Rs. 72,137 realized as fines Rs. 27,562, or 38·2 per cent, were paid by way of compensation to injured persons.

Habitual offenders punished.

40. During the year under report 704 habitual offenders were punished under section 75, Indian Penal Code, being 54 less than in 1884. Of the 704 offenders punished, 441 had been convicted once before and 263 had been convicted more than once.

IMPERIAL RETURN No. VI. Appeals to Deputy Commissioners.

41 There was a considerable increase in the number of appellants to Deputy Commissioners during the year under review, 934 persons having appealed, as against 665 in 1884. In Fyzabad 56 persons, in Partabgarh 51 persons, in Lucknow City and Unao 39 persons, and in Lucknow 33 persons appealed during 1885 in excess of the number who appealed in 1884.

42. Of the appeals relating to the cases of 915 persons disposed of the sentences on 527 persons, or 57·6 per cent., were confirmed. The sentences on 218 persons, or 23·8 per cent., were reversed, and in the cases of 131 persons, or 14·3 per cent., the sentences were modified. The appeals of 25 persons were rejected, and in the cases of 12 persons proceedings were quashed and new trial ordered, or reference made to this Court. Appeals relating to 19 persons remained pending at the close of 1885 and the average duration of proceedings taken on appeals disposed of was 7·34 days.

Revision and supervision.

43. During the year under report 305 persons applied to Deputy Commissioners under section 435, Criminal Procedure Code. Applications were rejected or orders confirmed in the cases of 239 persons, and new trial or further enquiries ordered in the cases of 59 persons. Deputy Commissioners called *suo motu* for 1,049 cases, involving 2,032 persons, and referred proceedings taken as regards 61 persons to this Court for revision.

Witnesses examined. Statement G.

44. The number of witnesses examined in Magistrates' courts during 1885 aggregated 84,625, of whom 80,341, or nearly 95 per cent., were discharged on the day they attended, 3,557, or 4·2 per cent., on the second day of attendance, and 727, or 0·8 per cent., on or after the third day of attendance. In only four districts was the percentage of witnesses discharged on the day they attended below the provincial average. The highest percentage (98·9) was in Bahraich and the lowest (87·7) in Bara Banki.

Witnesses dieted.

45. The number of witnesses dieted and the amount of diet-money paid during the years 1884 and 1885 are as follow :—

	Number of witnesses dieted.	Total cost.	Average cost.
		Rs.	A. p.
1884	39,651	17,450	7 0
1885	37,829	18,530	7 10

In six districts the provincial average was exceeded, and every district but three exceeded its average for 1884. The cost of each witness depends on the distance he has to travel, and, as remarked by Colonel Murray, Deputy Commissioner, Kheri, a few heavy cases in a thána at the extreme end of a district will cause a considerable increase in the district average.

Weeding of records.

46. The Sultanpur district is the only one in which much still remains to be done in weeding criminal files.

IMPERIAL RETURN No. IV. Sessions Courts.

47. Courts of Sessions disposed of 315 cases, involving 565 persons, during the year under report, leaving 63 cases, 147 persons, pending at the close of the year. In 1884, 326 cases, 586 persons, were disposed of, and 37 cases, 85 persons, remained pending. Out of 565 persons whose cases were disposed of in 1885, 338 persons were convicted and 227 persons were discharged, acquitted, or died.

During the year under report, 94 cases, involving 167 persons, were disposed of, and 30 cases, 85 persons, remained pending in the Lucknow Sessions Court. In Sitapur Sessions Court 94 cases, 193 persons, were disposed of, and 3 cases, 30 persons, remained pending. In Fyzabad Sessions Court 68 cases, 117 persons, were disposed of, and 15 cases, 25 persons, remained pending.

The lightest calendar was in the Rae Bareli Sessions Court, in which 59 cases, 88 persons, were disposed of, and 5 cases, 7 persons, remained pending at the close of the year.

The average number of days each case lasted from date of commitment to date fixed for hearing was :—

Lucknow	Sessions	Court	...	...	...	...	73· days.
Sitapur	ditto		...	...	...	...	36· ,,
Fyzabad	ditto		...	...	...	...	77· ,,
Rae Bareli	ditto		...	...	...	...	23· ,,

The Lucknow and Fyzabad average duration was much too high. In the previous year the Lucknow average duration was 45 days only and that of Fyzabad 55 days.

IMPERIAL RETURN No. V. Punishments.

48. The following statement shows the sentences passed by Sessions Judges during the years 1884 and 1885 :—

	1884.	1885.
Death	27	32
Transportation	68	68
Rigorous imprisonment	243	223
Simple ditto	10	7
Fine	19	28
Whipping	7	3
Ordered to find security to keep the peace, &c.		2
Forfeiture of property		1

Sessions Judges imposed fines to the amount of Rs. 1,435, of which sum Rs. 490 were paid by way of compensation.

IMPERIAL RETURN No. XIII. Trials by jury and assessors.

49. In the Lucknow Sessions Court 23 cases were tried by jury, in one of which the Judge wholly disapproved of the verdict and referred the case to this Court under section 263, Criminal Procedure Code. The result was that this Court declined to interfere.

Sessions Judges tried 260 cases with the aid of assessors and agreed with their findings in 199 cases, or 77 per cent., being 5 per cent. more than in 1884.

Witnesses examined. Statement F.

50. The number of witnesses examined by Sessions Judges during 1885 was 3,645, being 137 more than in 1884. The Sessions Judge of Sitapur examined the greatest number of witnesses. Diet-money was paid to 3,341 witnesses and amounted to Rs. 4,645, being an average of Rs. 1-6-2 per witness, as against Rs. 0-14-7 in 1884.

IMPERIAL RETURN No. VI. Appeals.

51. The total number of appellants that came before Sessions Judges in 1885 was 2,179, the number of appeals being 1,742. In 1884 there were 1,985 appellants. Appeals were rejected or sentences of the lower courts were confirmed as regards 1,590 persons, being nearly 63 per cent. Sentences passed on 208 persons, or 14 per cent., were

modified, and on 231 persons, or 10 per cent., reversed. Proceedings in regard to 3 persons were quashed, and new trial or further enquiries were ordered in the cases of 20 persons. The appeals of 119 persons remained unheard at the close of 1885, during which year an appeal lasted on an average 10 53 days.

Revision.

52. Application was made to the sessions courts for revision of the cases of 312 persons. Applications were rejected, or sentence confirmed, in the cases of 278 persons. The sentences on 4 persons were reversed, new trial or further enquiries were ordered with regard to 15 persons, and the cases of 12 persons were referred to this Court.

Commissioners called *suo motu* for 416 cases involving 710 persons, out of which they referred the cases of 22 persons to this Court.

Judicial Commissioner, Oudh.

53. The number of persons dealt with by this Court during the years 1884 and 1885 is shown in the following statement:—

	1884.	1885.
Report for the confirmation of capital sentence	28	39
Appeals	349	319
Revision Side.		
Application by parties	207	121
References by Commissioners and Deputy Commissioners ...	232	186
Cases called for *suo motu* by the Judicial Commissioner ...	439	540
	1,255	1,205

Out of 39 persons sentenced to death, whose sentences were reported to the Judicial Commissioner for confirmation, four were acquited; the sentences passed on nine persons were commuted to transportation for life, and the sentences passed on 26 persons were confirmed.

This report has been brought down to the most concise form compatible with distinctness, though I have followed generally the main outlines of former reports.

I concur heartily in the desire expressed by Government to reduce the burdens of naqshas and statements, which sometimes only tend to darken counsel, as is well illustrated by Colonel Horsford, who quotes an order of a District Superintendent of Police directing his subordinates not to send up more than two or three persons in any riot case, so as to avoid spoiling the percentages for his district.

54. The office of Judicial Commissioner was held by Mr. T. B. Tracy from 1st January to 22nd February and from 24th August to 8th October; and by Dr. Duthoit from 23rd February to 23rd August and from 9th October to 31st December, 1885.

I have the honor to be,

SIR,

Your most obedient servant,

W. YOUNG,

Offg. Judicial Commissioner, Oudh

IMPERIAL RETURN No. I.—(Civil, Criminal and Rent).

Statement showing the number of judicial divisions and the number of officers exercising original or appellate jurisdiction in the Province of Oudh on the last day of the year, 1885, with the cost of tribunals.

Name of Province.	Area.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of Districts.	Number of districts.	Number of sub-districts.	Total number of officers exercising original or appellate jurisdiction. Judges of Chief Court of Province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of Districts.	Judges of District Courts other than Chief Courts.	Judges of other subordinate Courts.	Total number of cases decided. Original. Regular.	Original. Miscellaneous.	Appeals. Regular.	Appeals. Miscellaneous.	Total receipts of the Courts.	Total charges of the Courts.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Territory subject to Judicial Commissioner of Oudh.															Rs.	Rs.
Civil	23,992 square miles.	11,407,626 of the province.	4 divisions.	12 districts.	...	...	...	4	12	28	46,356	6,872	3,803	357	9,52,478	1,477,931
Criminal					...	...	4	12	50	149	28,964	1,845	2,449	347		
Revenue (Rent) ...					...	...					32,497	16,343	3,123	205		
Charges incurred by the Public Works Department on account of buildings.					...	1	...	...	...	...	...	...	...	...	...	27,357
Total ...	...	...	...	...	...	1	4	16	62	177	107,817	29,646	9,675	909	9,52,478	1,505,288

Grades of judicial officers.	European.	Native.
Officers exercising both original and appellate jurisdiction. Judicial Commissioner,	1	...
District Judges ...	3	1
Additional Judges ...	...	...
Sub-Judges ...	2	10
Officers exercising original jurisdiction only. Small Cause Court Judges.	2	1
Munsifs ...	...	25

FOR HOME, REVENUE AND AGRICULTURAL DEPARTMENT.

	European.	Native.
Judicial Commissioner ...	1	...
Commissioners	4	...
Deputy Commissioners ...	12	...
District Judges	3	1
Sub-Judges	1	11
Assistant Commissioners ...	14	2

	European.	Native.
Extra Assistant Commissioners ...	5	29
City Magistrates	1	..
Tahsildárs	...	43
Munsifs	...	25
Judges, Small Cause Courts ...	2	1
Honorary Assistant Commissioners ...	2	103
Total ...	45	215

IMPERIAL RETURN No. II.—(CRIMINAL).

Statement of offences reported and of persons tried, convicted, and acquitted of each class of offence in the Province of Oudh in the year 1885.

Description of offence.	Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year.	Number of persons. Under trial during the year, including pending from previous year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred to another Province.	Remaining under trial.	Remarks.
1	2	3	4	5	6	7	8	9	10
Offences against the State, chapter VI. of the Indian Penal Code	...	...	...	...	...	...	...	...	
Ditto relating to the Army and Navy, chapter VII.	...	...	...	...	...	...	...	...	
Ditto against the public tranquillity, chapter VIII.	881	539	503	2,866	1,132	1,548	2	184	
Ditto by or relating to public servants, chapter IX.	48	36	38	53	22	28	...	3	
Contempts of the lawful authority of public servants, chapter X.	431	354	362	690	292	358	4	36	
False evidence and offences against public justice, chapter XI	560	425	418	529	245	250	4	30	
Offences relating to coin and Government stamps, chapter XII.	63	54	40	45	29	15	...	1	
Ditto relating to weights and measures, chapter XIII.	39	32	32	35	15	20	...	...	
Ditto affecting the public health, safety, convenience, decency and morals, chapter XIV. ...	202	126	122	229	74	154	...	1	
Ditto relating to religion, chapter XV.	94	44	47	124	90	12	...	22	
Offences affecting the human body, chapter XVI. — Offences affecting life	693	618	425	695	262	334	6	93	
Causing of miscarriage, injuries to unborn children, exposure of infants and the concealment of births.	108	95	81	101	28	61	1	11	
Hurt	10,642	6,404	6,413	13,415	10,275	2,946	4	190	
Wrongful restraint and wrongful confinement	393	99	97	195	167	22	...	6	
Criminal force and assault	3,108	1,618	1,641	3,605	2,878	674	2	51	
Kidnapping, forcible abduction, slavery and forced labour	192	79	74	146	87	58	...	1	
Rape	156	87	81	86	52	27	...	7	
Unnatural offence	62	51	31	37	18	17	1	1	
Offences against property, chapter XVII. — Theft	20,349	18,801	3,568	4,952	1,544	3,367	4	37	
Extortion	173	41	41	92	75	16	...	1	
Robbery and dakaiti	272	119	83	177	98	69	2	8	
Criminal misappropriation of property	112	82	82	105	34	71	...	...	
Ditto breach of trust	230	133	112	141	66	66	...	9	
Receiving of stolen property	871	815	802	1,226	358	836	2	30	
Cheating	204	81	83	134	79	50	1	4	
Fraudulent deeds and disposition of property	3	1	1	1	1	...	...	...	
Mischief	2,118	1,214	646	1,237	958	253	1	25	
Criminal trespass...	15,983	14,539	2,191	3,552	1,769	1,663	7	113	
Offences relating to documents and to trade or property marks, chapter XVIII.	55	34	35	54	37	15	...	2	
Criminal breach of contracts of service, chapter XIX.	22	14	15	27	8	19	...	...	
Offences relating to marriage, chapter XX.	1,485	801	819	1,024	805	183	7	29	
Defamation, chapter XXI.	465	128	129	200	164	29	1	6	
Criminal intimidation, insult and annoyance, chapter XXII.	260	93	96	168	112	54	1	1	
Offences under the Criminal Procedure Code and offences against special and local laws ...	11,471	10,168	9,874	19,282	6,047	13,030	66	139	
Total	71,765	57,725	28,982	55,223	27,821	26,245	116	1,041	

IMPERIAL RETURN No. II.A.—(CRIMINAL).

Statement showing the general result of the trial of European British subjects in the Courts of the Province of Oudh during the year 1885.

Description of offence.	Number of persons accused and brought before a Magistrate.						Died, escaped, or transferred to other provinces.	Number actually brought to trial.	Persons whose cases were disposed of						
		Within the year.							*By District Magistrates and other 1st Class Magistrates.*						
	Remaining at the close of the previous year.	On complaint, section 191 (a), Criminal Procedure Code.	On Police report, section 191 (b) of the Code.	By Magistrate *suo motu* section 191 (c) of the Code.	On transfer from another province.	Total.			Received by transfer under section 451 (b) of the Code.	Convicted.	Acquitted or discharged.	Committed. To Court of Session.	Committed. To High Court.	Transferred by order under section 451 (b) of the Code.	Total omitting entries in columns 10 and 15.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Causing hurt, section 323, I. P. C. ...	...	9	...	...	...	9	...	*7	...	4	3	...	...	...	7
Grievous hurt, section 325, I. P. C. ...	...	...	1	...	...	1	...	1	...	...	1	...	...	...	1
Voluntarily causing grievous hurt by dangerous weapons, section 324, I. P. C. ...	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1
Assault, section 352, I. P. C.	...	2	...	...	...	2	...	2	...	...	2	...	...	...	2
Assault or use of criminal force to a woman with intent to outrage her modesty, section 354, I. P. C.	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1
Rape, section 376, I. P. C.	...	...	1	...	...	1	...	1	...	...	...	...	1	...	1
Theft, section 379, I. P. C.	...	...	...	...	2	2	...	2	...	...	2	...	...	...	1
Murder, section 302, I. P. C.	...	...	1	...	...	1	...	1	...	...	1	...	...	...	1
Criminal trespass, section 451, I. P. C. ...	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1
Criminal breach of trust, section 406, I. P.C.	...	...	1	...	...	1	...	1	...	...	1	...	...	...	1
Adultery, section 497, I. P. C.... ...	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1
Enticing a married woman, section 498, I. P. C.	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1
Obstructing public servant, section 186, I. P. C.	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1
Insult to provoke breach of the peace, section 504	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1
Nuisances, section 34, Act V. of 1861 ...	...	...	2	1	...	3	...	3	...	3	...	...	...	...	3
Section 112, Act X. of 1882	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1
Maintenance, section 488, Act X. of 1882 ...	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1
Total ...	...	20	6	1	2	29	...	27	...	13	13	...	1	...	27

*Two persons were made witnesses by the Court.

IMPERIAL RETURN

Statement showing the general result of the trial of European British subjects

Description of offence.	Persons whose cases were disposed of											
	By Courts of Sessions.					*By High Court.*			*Total for all Courts.*			
	Received by transfer under section 451 (b) of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under section 499 of the Code.	Total, exclusive of column 17.	Convicted.	Acquitted.	Total.	Convicted.	Acquitted or discharged.	Total.	Number of persons under trial at the close of the year.
1	17	18	19	20	21	22	23	24	25	26	27	28
Causing hurt, section 323, I. P. C.	...	...	...	...	...	...	...	...	4	3	7	...
Grievous hurt, section 325, I P. C.	...	...	...	...	...	...	...	...	...	1	1	...
Voluntarily causing grievous hurt by dangerous weapons, section 324, I. P. C.	...	...	...	...	...	...	...	...	...	1	1	...
Assault, section 352, I. P. C.	...	...	...	...	...	...	...	...	...	2	2	...
Assault or use of criminal force to a woman with intent to outrage her modesty, section 354, I. P. C.	...	...	...	...	...	...	...	...	...	1	1	...
Rape, section 376, I. P. C.	...	...	...	...	...	...	...	...	...	...	...	...
Theft, section 379, I. P. C.	...	...	...	...	...	...	...	...	...	2	2	...
Murder, section 302, I. P. C.	...	...	...	...	...	...	...	...	...	1	1	...
Criminal trespass, section 451, I. P C.	...	...	...	...	...	...	...	...	1	...	1	...
Criminal breach of trust, section 406, I. P. C. ...	...	...	...	...	...	...	...	...	...	1	1	...
Adultery, section 497, I P. C.	...	...	...	...	...	...	...	...	1	...	1	...
Enticing a married woman, section 498, I. P. C. ...	...	...	...	...	...	...	...	...	1	..	1	...
Obstructing public servant, section 186, I P. C. ...	...	...	...	...	...	...	...	...	1	...	1	...
Insult to provoke breach of the peace, section 504 ...	...	...	...	...	...	...	...	...	1	...	1	...
Nuisances, section 34, Act V. of 1861	...	...	...	...	...	...	...	...	3	...	3	...
Section 112, Act X of 1882	...	...	...	...	...	...	...	...	...	1	1	...
Maintenance, section 488, Act X. of 1882	...	...	...	...	...	...	...	...	1	...	1	...
Total ...	...	...	...	...	...	...	...	...	13	13	*26	...

*Excluding the one case committed to the High Court

No. II.A.—(CRIMINAL).

in the Courts of the Province of Oudh during the year 1885—(concluded.)

Number of cases.			Number of persons who applied to the High Court for an order under section 456 of the Code.	Of those entered in column 5, number who applied under section 2, Act III. of 1884, for transfer or committal of their cases.	Number of persons who applied to the High Court under section 526 of the Code for the transfer of their cases.	SUBSIDIARY TABLE.										
Brought to trial.	Disposed of.	Pending.				35							36			
						Of the total number of persons shown in—							Of cases shown in column 30.			
						Column 16.			Column 21.		Columns 21 and 24.		Disposed of by Magistrate.		Disposed of by Sessions Judge.	
						Number who claimed to be tried by a mixed jury, section 451A. (1) of the Code	Number who did not so claim.	Number of those in column 35 (1), whose cases were transferred under section 451B. of the Code.	Number who claimed a mixed number of assessors, section 451 (2) of the Code.	Number who did not so claim.	Number who claimed to be tried by a mixed jury, section 451 (1) of the Code.	Number who did not so claim.	Being European British subjects.	Other than European British subjects.	Being European British subjects.	Other than European British subjects.
29	30	31	32	33	34	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
7	7	...	...	...	...	...	...	...	...	...	...	...	26	...	...	...
1	1	...	...	...	...											
1	1	...	...	...	...											
2	2	...	...	...	...											
1	1	...	...	...	...											
...	*...	...	.	...	...											
2	2	...	...	...	...											
1	1	...	...	...	...											
1	1	...	...	...	...											
1	1	...	...	...	...											
1	1	...	...	...	...											
1	1	...	...	...	...											
1	1	...	...	...	...											
1	1	...	...	...	...											
3	3	...	...	...	...											
1	1	...	...	...	...											
1	1	...	...	...	...											
26	*26	...	...	...	...											

of Judicature, Allahabad, as shown in column 14.

IMPERIAL RETURN No. III.—(CRIMINAL).

Statement of miscellaneous proceedings under the Code of Criminal Procedure in the Province of Oudh during the year 1885.

Nature of proceedings.	Total number of cases before the Courts during the year.	Number of persons concerned.	Number of persons discharged.	Number of persons convicted.	Remarks.
1	2	3	4	5	6
1. Frivolous or vexatious complaints summarily dealt with under chapter XX., section 250	189	211	4	207	
2. Proceedings against witnesses under chapter VI. and section 485 of chapter XXXV.	6	16	3	13	
3. Forfeiture of bail or recognizance under chapter XLII.	33	41	20	18	3 remaining.
4 Non-attendance of jurors or assessors, chapter XXIII., section 332	2	2	1	1	
5. Contempts of court under chapter XXXV., section 480	1	1	...	1	
6. Proceedings under chapter VIII. to prevent breach of the peace	730	2,361	952	1,345	64 ditto.
7. Security for good behaviour under chapter VIII.	121	167	58	108	1 ditto.
8. Proceedings against public nuisance, chapter X.	198	881	61	813	7 ditto.
9. Possession, chapter XII. and section 522 of chapter XLIII.	33	86	21	64	1 ditto.
10. Maintenance, chapter XXXVI.	564	569	404	157	8 ditto.
Total	1,877	4,335	1,524	2,727	84 ditto.

IMPERIAL RETURN No. IV.—(CRIMINAL).

Statement showing the general result of criminal trials in the tribunals of various classes in the Province of Oudh in the year 1885.

Classes of Courts.	Total number of persons under trial.	Persons whose cases were disposed of.					Persons remaining under trial at the end of the year.	Number of cases disposed of during the year.	Average number of days during which each case lasted.	Number of witnesses examined	Remarks.
		Died, escaped or transferred to another Province.	Discharged or acquitted.	Convicted. On regular trial.	Convicted. On summary trial.	Committed or referred.					
1	2	3	4	5	6	7	8	9	10	11	12
Unpaid Magistrates sitting singly	4,733	2	2,940	1,677	...	41	73	2,444	6 23	5,195	
Benches of Magistrates	8,089	...	2,504	5,551	...	...	34	4,711	1 81	5,471	
Local and subordinate paid Magistrates	12,857	1	7,496	5,112	...	176	72	5,739	5 82	15,055	
Full power Magistrates of general jurisdiction ... ... — Natives	18,586	83	9,561	7,652	373	496	421	9,647	8 02	38,727	
Full power Magistrates of general jurisdiction ... ... — Europeans	9,309	21	4,485	3,349	952	263	239	5,125	6·40	15,477	
Chief Magistrates of Districts	1,234	6	469	407	309	16	27	789	5 87	4,118	
Deputy Commissioners under section 34, Act X. of 1882	336	...	79	148	...	107	2	194	10 81	582	
Total Magistracy ...	55,144	113	27,534	23,896	1,634	1,099	868	28,649	6 06	84,625	
Commissioners (Sessions)	712	4	223	338	...	...	147	315	21·41	3,645	

IMPERIAL RETURN No. V.—(CRIMINAL).

Statement showing the punishments inflicted by the various criminal tribunals in the Province of Oudh in the year 1885.

Classes of Courts.	Persons sentenced to— Death.	Transportation.	Penal servitude.	Imprisonment. Rigorous.	Imprisonment. Simple.	Forfeiture of property.	Fine.	Whipping.	Persons ordered to find or give security or recognizance to keep the peace or securities for good behaviour.	Persons imprisoned in default of security for good behaviour.	Detail of Punishment. Fine. Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed during the year.	Total amount of fines realised during the year.	Amount paid by way of compensation.	Imprisonment. 15 days and under.	6 months and under.	2 years and under.	Under 7 years.	Above 7 years.	Whipping. 10 stripes.	20 stripes.	30 stripes.	Number of boys whose sentences were commuted to detention in a reformatory school.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
																	Rs. a. p.	Rs. a. p.	Rs. a. p.									
Honorary Magistrates sitting singly.	...	...	...	390	10	...	1,379	26	...	...	1,313	64	2	...	...	...	5,116 14 6	4,199 2 6	809 4 0	100	286	14	...	...	18	8	...	1
Bench Magistrates ...	...	...	...	80	7	..	5,472	16	...	...	5,459	13	...	...	...	...	3,987 7 6	3,900 3 7	373 8 0	48	37	2	...	..	4	8	4	...
Stipendiary Magistrates sitting singly.	..	..	...	6,025	249	...	10,865	1,116	1,381	59	9,448	1,313	89	12	3	...	69,683 1 2	61,216 11 10	25,263 4 10	1,003	3,882	1,387	2	..	482	492	142	2
District Courts. Cases decided under section 34, C. P. Code.	...	...	...	142	...	..	20	23	...	...	6	9	4	1	...	...	1,031 0 0	668 4 8	389 11 2	...	18	48	76	..	3	15	5	...
Chief Magistrates of Districts.	...	...	...	300	39	...	239	218	70	19	197	34	4	4	...	...	3,138 15 0	2,152 12 3	726 7 9	72	151	87	29	...	120	71	27	...
Total ...	...	...	...	6,937	305	...	17,975	1,399	1,451	78	16,423	1,433	99	17	3	...	82,957 6 2	72,137 2 10	27,562 3 9	1,223	4,374	1,538	107	...	627	594	176	3
Courts of Sessions (Commissioners).	32	68	...	223	7	1	28	3	2	...	2	22	2	2	...	...	1,435 0 0	742 15 0	490 0 0	4	20	63	136	7	...	2	1	...

IMPERIAL RETURN No. V.A.—(Criminal).

Part I.

Showing whippings inflicted under sections 2 and 3, Act VI., 1864, in lieu of other punishments.

Offences for which awarded.	Number of stripes awarded.												Total.	Remarks.
	5 and under.		6 to 10.		11 to 15.		16 to 20.		21 to 25.		26 to 30.			
	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
IN LIEU OF OTHER PUNISHMENTS. (Sections 2 and 3, Act VI., 1864).														
1. Theft as defined in Sec. 378, I. P. C. ...	88	...	258	4	152	9	67	10	30	1	27	4	650	
1. Theft as defined in " 380 " ...	15	...	50	2	39	6	30	7	3	1	3	...	156	
1. Theft as defined in " 381 " ...	...	...	3	...	2	...	2	...	...	...	1	...	8	
1. Theft as defined in " 382 " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
2. Extortion as defined in ... " 388 " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
2. Extortion as defined in ... " 389 " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
3. Punishment for robbery ... " 392 " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
4. Dishonestly receiving stolen property as defined in ... " 411 " ...	6	...	39	1	28	1	21	2	2	2	4	1	107	
4. Dishonestly receiving stolen property as defined in ... " 412 " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
5. Lurking-house trespass as defined in " 443 " ...	1	...	9	...	4	2	1	...	1	...	...	...	18	
6. Lurking-house trespass by night as defined in ... " 444 " ...	...	...	5	...	12	...	8	...	4	...	...	1	30	
7. House breaking as defined in ... " 445 " ...	2	...	2	1	7	...	2	...	...	...	1	...	15	
8. House-breaking by night as defined in " 446 " ...	...	...	12	...	16	...	12	...	7	...	3	...	50	
Offences under section 49, Act XXVI., 1870 ...	4	...	6	...	13	...	...	...	...	...	...	...	23	
Ditto ditto 19, Act XXVII., 1871...	10	...	14	...	1	...	...	...	...	...	...	...	25	
Ditto ditto 14, Act III., 1880 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	126	...	398	8	274	18	143	19	47	4	39	6	1,082	

Note.—Includes juveniles punished under any of these heads.

IMPERIAL RETURN No. V.A.—(CRIMINAL).

PART II.

Showing whippings inflicted in addition to other punishments, sections 3 and 4, Act VI., 1864.

Offences for which awarded.		Number of stripes. 5 and under.	6 to 10.	11 to 15.	16 to 20.	21 to 25.	26 to 30.	Total.	Remarks.
1		2	3	4	5	6	7	8	9
IN ADDITION TO OTHER PUNISHMENTS (SECTIONS 3 AND 4, ACT VI., 1864).									
A.—*Section 3.*									
1. Theft as defined in	Section 378, I. P. C. ...	2	4	13	21	9	11	60	
	,, 380 ,, ...	...	...	5	4	.	5	14	
	,, 381 ,, ...	...	...	...	...	...	...	...	
	,, 382 ,, ...	...	...	...	...	...	...	...	
2. Extortion as defined in	,, 388 ,, ...	...	...	...	...	...	...	...	
	,, 389 ,, ...	...	...	...	...	...	...	...	
3. Dishonestly receiving stolen property as defined in	,, 411 ,, ...	...	3	4	8	5	2	22	
	,, 412 ,, ...	...	...	...	...	...	...	...	
4. Lurking house-trespass as defined in ...	,, 443 ,, ...	...	...	...	...	...	3	3	
5. Lurking house-trespass by night as defined in	,, 444 ,, ...	...	...	1	2	1	2	6	
6. House-breaking as defined in ...	,, 445 ,, ...	...	...	1	...	...	1	2	
7. House-breaking by night as defined in...	,, 446 ,, ...	...	...	8	4	5	6	23	
8. Offences under section 14, Act III., 1880	... ...	...	...	...	...	...	...	...	
B.—*Section 4.*									
1 False evidence as defined in	Section 193, I. P. C. ...	...	...	...	...	...	...	...	
	,, 194 ,, ...	...	...	...	...	...	...	...	
	,, 195 ,, ...	...	...	...	...	...	...	...	
2. False charge of unnatural offence as defined in ...	Sections 211 & 377, I P.C.	...	...	...	...	...	...	...	
3. Assault as defined in	Section 354, I. P. C. ...	...	..	...	...	...	...	...	
4. Rape as defined in	,, 375 ,, ...	...	...	...	...	...	...	...	
5. Unnatural offence as defined in ...	,, 377 ,, ...	...	...	...	...	...	...	...	
6. Robbery as defined in	,, 390 ,, ...	...	...	..	...	...	...	...	
7. Dakaiti as defined in	,, 391 ,, ...	...	...	...	...	...	...	...	
8. Attempt at robbery as defined in ...	,, 393 ,, ...	...	..	...	...	...	...	...	
9. Hurt in committing robbery as defined in .	,, 394 ,, ...	...	...	...	...	...	...	...	
10. Receiving stolen property as defined in	,, 413 ,, ...	...	...	...	...	...	...	...	
11. Forgery as defined in	,, 463 ,, ...	...	...	...	...	...	...	...	
	,, 466 ,, ...	...	..	..	...	...	...	...	
	,, 467 ,, ...	...	...	...	...	...	...	...	
	,, 468 ,, ...	...	...	...	...	...	...	...	
	,, 469 ,, ...	...	...	...	...	...	...	...	
12. Lurking house-trespass as defined in ...	,, 443 ,, ...	...	...	...	...	...	...	...	
13. Lurking house-trespass by night as defined in	,, 444 ,, ...	...	...	...	...	...	...	...	
14. House-breaking as defined in ...	,, 445 ,, ...	...	...	...	...	...	...	...	
15. House breaking by night as defined in	,, 446 ,, ...	...	...	...	...	.	...	..	
	Total ...	2	7	32	39	20	30	130	

NOTE.—Includes juveniles punished under any of these heads.

IMPERIAL RETURN No. V.A.—(CRIMINAL).

PART III.

Showing whippings inflicted under section 5, Act VI., 1864, on juveniles for offences other than those specified in Parts I. and II.

Offences.	STRIPES.												Total.	Remarks.
	5 and under.		6 to 10.		11 to 15.		16 to 20.		21 to 25.		26 to 30.			
	1st conviction.	Subsequent conviction.	1st conviction.	Subsequent conviction.	1st conviction.	Subsequent conviction.	1st conviction.	Subsequent conviction.	1st conviction.	Subsequent conviction.	1st conviction.	Subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Rioting, section 147, I. P. C.	...	...	...	...	...	...	...	...	...	...	...	...	...	
Resistance to lawful apprehension of another person, section 225, I. P. C.	...	...	...	...	...	...	...	...	...	...	...	...	...	
Having any counterfeit coin, ,, 239 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Attempt at suicide, ,, 309 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Causing hurt, ,, 323 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Rape, ,, 376 ,,	...	...	...	...	1	...	2	...	...	...	...	...	3	
Unnatural offence, ,, 377 ,,	...	...	...	...	...	...	1	...	1	...	...	...	2	
Theft as defined in ,, 378 ,,	...	...	...	...	1	...	1	...	...	...	...	...	2	
Ditto ,, 379 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Ditto ,, 380 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Criminal breach of trust, ,, 405 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Mischief as defined in ,, 425 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Ditto by fire ,, 436 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Giving false information to a public servant, ,, 182 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Causing death by negligence, ,, 304A. ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Punishment for voluntarily causing grievous hurt, ,, 325 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Assault or criminal force in attempt to commit theft of property carried by a person, ,, 356 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Dishonest misappropriation of property, ,, 403 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Mischief by killing or maiming any animal of the value of Rs. 10, ,, 428 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Lurking-house trespass or house-breaking by night after preparation made for causing hurt to any person, ,, 457 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Resistance or obstruction by a person to his lawful apprehension, ,, 224 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Causing grievous hurt on provocation, ,, 335 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Punishment for robbery, ,, 392 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Dishonestly receiving stolen property, ,, 411 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
House-breaking by night, ,, 446 ,,	...	...	...	...	...	...	...	...	...	...	...	...	...	
Railway, section 14, Act IV. of 1879 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Section 43, Act IV. of 1879 ...	1	...	...	...	...	...	...	...	...	...	...	...	1	
Ditto 13, Act III. of 1867	...	...	1	...	...	...	...	...	...	...	...	...	1	
Ditto 465, I P.C. ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
Simple hurt, section 322, I.P.C. ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
Sections $\frac{377}{511}$, I.P.C. ...	...	...	...	...	1	...	1	...	...	...	...	...	1	
Sections $\frac{411}{75}$, I.P.C. ...	...	...	...	...	...	1	...	...	...	...	...	...	1	
Section 35, Act XXII. of 1881 ...	1	...	...	...	...	...	...	...	...	...	...	...	1	
Total ...	2	...	1	...	4	1	5	...	1	...	...	...	14	

IMPERIAL RETURN No. V.A.—(CRIMINAL).

PART IV.

Shewing relative number of times whipping was awarded as compared with other punishments.

Punishment.	*Number.	Remarks.
1	2	3
1. *Total number of whippings awarded	1,226	
2. †Total number of other punishments	5,639	
Percentage of whippings	17·87	

*Total of column 14, Parts I. and III, and of column 8, Part II.

†Not counting punishments of which whipping was a part, but including all cases in which whipping might have been inflicted.

IMPERIAL RETURN No VI.—(CRIMINAL)

Statement showing the result of appeals and revisions in criminal cases in the Province of Oudh during the year 1885.

Tribunals	Total number of appellants and applicants before the Courts	Number of persons: Died escaped, or transferred to another Province	Appeals or applications rejected	Sentence or order confirmed	Sentence enhanced	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiries ordered.	Referred for revision to the High Court	Pending trial.	Average number of days during which each appeal lasted.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appeals.													
To Chief Magistrates of Districts	934	2	25	527	...	131	218	4	4	4	19	7 34	
To Sessions Courts	2 179	7	791	799	...	208	231	3	20	1	119	10 53	
Superior Courts ... By persons convicted	318	...	55	210	...	24	27	...	..	...	2	·17	
Superior Courts ... By Government	1	...	...	..	...	...	1	...	...	..	...	90	
Total ...	3,432	9	871	1,536	...	363	477	7	24	5	140	...	
Revisions.													
By Chief Magistrates of Districts	305	...	231	8	...	..	1	..	33	26	6	8·05	
By Courts of Sessions	312	..	182	96	...	...	4	..	15	12	3	7 27	
By Superior Courts	847*	..	34	314	7	22	357	19	7	...	77	6	*Includes 10 returned to applicants
Total ...	1,464		447	418	7	22	362	19	55	38	86	...	
GRAND TOTAL ...	4,896	9	1,318	1,954	7	385	839	26	79	43	226	...	

IMPERIAL RETURN No. XIII.—(CRIMINAL).

Statement showing the use of juries and assessors in the Criminal Courts in the Province of Oudh for the year 1885.

Classes of Courts in which assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of jurors or assessors in each case and prescribed qualification.	Number of cases tried by jury.	Number of cases with assessors.	JURY TRIALS. Cases in which the Judge approved of the verdict.	Cases in which the Judge did not approve of the verdict. Wholly.	Partially.	Number of persons of the verdict in respect to whom the Judge disapproved. Whose cases he referred under section 263, Criminal Procedure Code.	Whose cases he did not refer under section 263, Criminal Procedure Code.	ASSESSORS' TRIALS. Number of cases in which Judges agreed with assessors.	Number of cases in which Judges differed from— One assessor.	Both assessors.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13
Commissioner, Lucknow Division ...	5 jurors, 2 assessors,	23	68	22	1	...	1	...	48	5	15	
Ditto, Sitapur ditto ...	2 assessors ...	...	79	...	...	...	...	..	66	5	8	
Ditto, Fyzabad ditto ...	2 ditto ...	...	57	...	...	...	...	...	43	5	9	
Ditto, Rae Bareli ditto ...	4 ditto ...	...	56	...	...	...	...	...	42	3	11	
Total ...	15	23	260	22	1	..	1	...	199	18	43	

A.—*Showing in detail for each class the number of persons convicted in* 1885.

Districts.	Offences against the State and relating to the Army and Navy, Chapters VI. and VII., Indian Penal Code.	Offences against the public tranquillity, Chapter VIII.	Offences by or relating to public servants, Chapters IX. and X.	Offences against public justice and false evidence, Chapter XI.	Offences relating to coin, stamps, weights and measures, Chapters XII. and XIII.	Offences affecting public health, &c., and religion, Chapters XIV. and XV.	Offences affecting the human body, Chapter XVI.	Offences against property, Chapter XVII.	Miscellaneous offences under the Penal Code, Chapters XVIII. and XXII.	Total offences under the Penal Code.	Offences under the Code of Criminal Procedure and under special laws.	Grand Total.
Lucknow City	...	49	20	12	2	19	405	351	28	886	3,006	3,892
Lucknow	...	76	6	10	1	8	344	295	18	758	810	1,568
Unao	...	126	37	16	...	63	299	401	9	951	806	1,757
Bara Banki	...	179	25	20	6	7	289	425	16	967	617	1,584
Sitapur	...	103	22	12	2	4	324	608	18	1,093	1,152	2,245
Hardoi	...	180	44	46	1	8	548	610	18	1,449	802	2,251
Kheri	...	18	16	5	1	4	128	647	12	831	283	1,114
Fyzabad	...	279	18	17	7	24	326	525	30	1,226	2,010	3,236
Bahraich	...	163	44	34	2	6	462	723	66	1,500	412	1,912
Gonda	...	142	72	35	3	4	315	439	28	1,038	1,248	2,286
Rae Bareli	...	52	7	13	2	4	255	466	13	812	697	1,509
Sultanpur	...	141	53	19	3	10	247	552	27	1,052	708	1,760
Partabgarh	...	40	22	17	5	5	196	349	17	651	480	1,131
Total ...	...	1,548	386	250	35	166	4,138	6,391	300	13 214	13,031	26,245

B.—*Showing the number of cases brought to trial during the year, disposed of, and pending in the Courts of Session and the Courts of Magistrates in* 1885.

Districts.	*Courts of Session.*			*Courts of Magistrates.*			Remarks.
	Brought to trial.	Disposed of.	Pending.	Brought to trial.	Disposed of.	Pending.	
Lucknow City	...	...	...	3,467	3 459	8	
Lucknow	50	39	11	1,975	1,972	3	
Unao	28	23	5	1,570	1 540	30	
Bara Banki	46	32	14	1,989	1,948	41	
Sitapur	40	34	6	2,836	2,820	16	
Hardoi	52	45	7	2,910	2,858	52	
Kheri	15	15	...	1,463	1,448	15	
Fyzabad	33	27	6	2,978	2,935	43	
Bahraich	23	18	5	1,985	1,973	12	
Gonda	27	23	4	2,615	2 569	46	
Rae Bareli	37	35	2	1,849	1,837	12	
Sultanpur	15	13	2	1 926	1,892	34	
Partabgarh	12	11	1	1,424	1,398	26	
Total ...	378	315	63	28,987	28,649	338	

C.—*Showing the number of persons concerned in cases decided under the miscellaneous provisions of the Criminal Procedure Code during* 1885.

Districts.	Frivolous or vexatious complaints summarily dealt with under Chapter XX., section 250.	Proceedings against witnesses under Chapter VI. and section 465 of Chapter XXXV.	Forfeiture of bail or recognizance under Chapter XLIII.	Non-attendance of jurors or assessors, Chapter XXIII., section 332.	Contempts of Court under Chapter XXXV., section 480.	Proceedings under Chapter VIII. to prevent breach of peace.	Proceedings under Chapter VIII., security for good behaviour.	Proceedings against public nuisance, Chapter X.	Possession, Chapter XII., and section 522 of Chapter XLIII.	Maintenance, Chapter XXXVI.	Total of persons.
Lucknow City ...	4	...	13	...	...	119	9	782	6	112	1,045
Lucknow ...	9	...	3	...	...	102	1	12	18	29	174
Unao ...	7	...	...	...	...	233	6	3	11	30	290
Bara Banki ...	10	...	3	...	...	306	22	46	3	51	441
Sitapur ...	9	1	1	2	...	44	21	2	7	46	133
Hardoi ..	6	11	9	...	...	382	9	22	9	15	463
Kheri ...	15	...	...	...	...	15	14	1	...	18	63
Fyzabad ...	66	...	7	...	...	314	33	...	...	47	467
Bahraich ...	6	4	3	...	...	110	6	10	1	41	181
Gonda ...	53	...	...	...	...	211	7	...	6	33	310
Rae Bareli .	3	...	...	...	...	135	11	1	.	50	200
Sultanpur ...	17	...	2	...	1	306	12	...	24	62	424
Partabgarh ...	6	...	...	...	...	84	16	2	1	35	144
Total ...	211	16	41	2	1	2,361	167	881	86	569	4 335

D.—*Showing the results of trials in the Courts of Session in* 1885 (*as affecting persons*).

Districts.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Referred.	Died, escaped, or transferred.	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4 and of those whose cases were referred under section 374, Criminal Procedure Code, who were convicted.	Remarks.
Lucknow ...	65	19	30	...	1	15	61	
Unao ...	96	22	39	...	...	35	64	
Bara Banki ...	91	19	37	...	...	35	63	
Sitapur ...	75	27	35	...	...	13	56	
Hardoi ...	124	53	54	...	...	17	50	
Kheri ...	24	9	15	...	...	...	62	
Fyzabad ...	53	21	24	...	1	7	53	
Bahraich ...	55	16	29	...	...	10	64	
Gonda ...	34	6	18	...	2	8	75	
Rae Bareli .	48	9	37	...	...	2	80	
Sultanpur ...	19	8	9	...	...	2	53	
Partabgarh ...	28	14	11	...	...	3	44	
Total ...	712	223	338	...	4	147	60	
Judicial Commissioner's Court ...	39	4	35	...	...	...	89	
GRAND TOTAL	751	227	373	...	4	147	46	

E.—*Showing the results of trials in the Courts of Magistrates in* 1885 (*as affecting persons*).

Districts.	Number of persons under trial during the year	Acquitted or discharged.	Convicted.	Committed or referred.	Died, escaped or transferred	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4 who were convicted.	Remarks.
Lucknow City	5,852	1,933	3,863	45	3	8	66	
Lucknow	3,911	2,322	1,540	41	2	6	40	
Unao	3,820	1,880	1,656	168	2	114	44	
Bara Banki	3,932	2,164	1,529	122	3	114	41	
Sitapur	4,613	2,296	2,174	108	2	33	48	
Hardoi	6 270	3,861	2,137	131	2	139	35	
Kheri	2,193	1,042	986	142	...	23	51	
Fyzabad	6,127	2,714	3,209	53	5	146	54	
Bahraich	4,049	2,106	1,861	61	2	19	47	
Gonda	4,497	2,020	2,256	66	22	133	52	
Rae Bareli	3,260	1,717	1,442	81	2	18	45	
Sultanpur	3,949	2,080	1,776	33	2	58	45	
Partabgarh	2,671	1,399	1,101	48	66	57	44	
Total ...	55,144	27,534	25,530	1,099	113	868	48	

F.—*Showing the number of witnesses examined and the number of persons to whom payments were made on account of expenses in Courts of Session and Courts of Magistrates in* 1885.

Districts	Number of witnesses examined.				Amount paid as expenses		Remarks.
	Courts of Session.		*Magistrates' Courts*		*Courts of Session.*	*Magistrates' Courts.*	
	Number of persons to whom payments were made	Number of witnesses examined.	Number of persons to whom payments were made.	Number of witnesses examined	Amount paid.	Amount paid.	
					Rs	Rs	
Lucknow City	...	...	1,473	6,537	...	388	
Lucknow	1,057	1,064	1,701	4 280	1,316	602	
Unao	...	...	2,686	5,476	..	1 289	
Bara Banki	...	...	3,192	6,599	.	1,836	
Sitapur	1,071	1,222	3 843	8,640	2,074	1,826	
Hardoi . .	...	...	4 476	13,635	...	2,343	
Kheri	...	..	3,187	4,551	...	1,843	
Fyzabad	629	703	2,163	6 478	645	1,429	
Bahraich	...	...	3 626	8 491	..	2,108	
Gonda	...	...	2 893	7,212	...	1,572	
Rae Bareli	584	656	2,939	5,480	610	1,100	
Sultanpur	...	...	3,575	6,075	...	1,382	
Partabgarh	...	...	1,975	4,089	...	812	
Total ...	3,341	3,645	37,829	84,625	4,645	18,530	

G.—Showing the detention of witnesses in Courts of Session and Courts of Magistrates in 1885.

Districts.	Number of witnesses discharged.							
	Courts of Session.				*Magistrates' Courts.*			
	On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.	On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.
Lucknow City	...	...	...	...	6,441	154	38	4
Lucknow	734	247	66	17	4,164	112	4	...
Unao	...	...	...	...	4,910	447	98	21
Bara Banki	...	...	...	...	5,791	600	129	79
Sitapur	868	165	48	141	8,305	286	42	7
Hardoi	...	...	...	...	10,165	371	53	46
Kheri	...	...	...	...	4,388	139	17	7
Fyzabad	630	69	4	...	6,365	101	12	...
Bahraich	...	...	...	...	8,400	88	...	3
Gonda	...	...	...	...	6,862	329	17	4
Rae Bareli	451	179	26	...	5,268	169	32	16
Sultanpur	...	...	...	...	5,637	336	61	23
Partabgarh	...	...	...	...	3,650	425	8	6
Total ...	2,683	660	144	158	80,341	3,557	511	216

H.—Showing the total amount of fines imposed in the exercise of original jurisdiction by the Criminal Courts in 1885, *the amount realized, and the amount paid by way of compensation.*

Districts.	*Courts of Session.*			*Magistrates' Courts.*			Remarks.
	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Lucknow City	...	...	...	7,748	6 943	1,428	
Lucknow	300	300	...	4,903	4 619	1,702	
Unao	...	...	...	5,989	5,244	1,411	
Bara Banki	...	...	...	6,917	5,820	1,956	
Sitapur	...	...	...	6,253	5,084	2,129	
Hardoi	...	...	...	6,942	5,748	2,111	
Kheri	...	...	...	4,334	3,415	2,416	
Fyzabad	605	253	85	8,866	7,602	2,142	
Bahraich	...	...	...	7,966	6,374	2,739	
Gonda	...	...	...	8,870	8,194	2,190	
Rae Bareli	530	190	405	4,384	3,946	2,245	
Sultanpur	...	...	...	4,810	4,398	2,553	
Partabgarh	...	...	...	4,976	4,750	2,540	
Total ...	1,435	743	490	82,958	72,137	27,562	

-Showing the number of appeals (cases) preferred, disposed of, and pending in the Courts of Sessions Judges and of District Magistrates in 1885.

Districts.	Preferred.		Disposed of.		Pending.		Remarks.
	Court of Session.	Court of District Magistrate.	Court of Session.	Court of District Magistrate.	Court of Session.	Court of Magistrate.	
Lucknow City	...	24	...	24	...	...	
Lucknow	185	45	174	41	11	4	
Unao	116	104	110	104	6	...	
Bara Banki	122	28	112	28	10	...	
Sitapur	140	89	139	89	1	...	
Hardoi	102	50	97	50	5	...	
Kheri	151	14	140	14	11	...	
Fyzabad	126	56	123	56	3	...	
Bahraich	326	29	316	29	10	...	
Gonda	160	34	159	28	1	6	
Rae Bareli	81	60	74	60	7	...	
Sultanpur	166	41	155	41	11	...	
Partabgarh	67	26	61	25	6	1	
Total ...	1,742	600	1,660	589	82	11	

J.—Showing the number of applications for revision (cases) preferred, disposed of, and pending in the Courts of Sessions Judges and District Magistrates in 1885.

District.	Preferred.		Disposed of.		Pending.		Remarks.
	Court of Session.	Court of District Magistrate.	Court of Session.	Court of District Magistrate.	Court of Session.	Court of District Magistrate.	
Lucknow City	...	2	...	2	...	...	
Lucknow	30	5	30	5	...	...	
Unao	12	4	12	4	...	...	
Bara Banki	12	6	12	6	...	...	
Sitapur	10	4	10	4	...	...	
Hardoi	8	45	8	45	...	...	
Kheri	4	25	4	25	...	...	
Fyzabad	39	16	39	16	...	...	
Bahraich	5	2	5	2	...	...	
Gonda	22	23	21	22	1	1	
Rae Bareli	10	13	9	13	1	...	
Sultanpur	11	...	11	...	...	...	
Partabgarh	23	19	23	19	...	...	
Total ...	186	164	184	163	2	1	

K.—Showing the number of persons whose cases came before the Courts of Sessions Judge and of District Magistrates on appeal or application for revision with the result as affecting the orders of the Lower Courts in 1885.

Districts.	Appeals.				Applications for revision.			Remarks.
	Number of persons who appealed.	Ratio per cent. of persons appealing to persons in respect to whom appealable orders were passed.	Number of applicants in whose cases the sentences or orders were confirmed.	Ratio per cent. of affirmed to decided.	Number of applicants for revision.	Number of applicants whose applications were rejected or in whose cases orders were confirmed.	Ratio per cent. of rejected to disposed of.	
Lucknow City ...	53	1·	23	43·	3	3	66·	
Lucknow ...	269	43·	144	53·	47	42	89·	
Unao	253	20·	107	42·	29	28	96·	
Bara Banki	238	24·	114	47·	32	30	90·	
Sitapur	280	20·	118	42·	22	22	91·	
Hardoi	301	17·	104	34·	101	98	90·	
Kheri	192	25	101	52·	63	42	66·	
Fyzabad	331	13·	139	41·	91	76	79·	
Bahraich	379	32·	67	20·	13	12	53·	
Gonda	235	17·	82	30·	66	57	69·	
Rae Bareli	176	14·	118	67·	48	24	29·	
Sultanpur	246	27·	147	59·	36	31	36·	
Partabgarh	160	18·	62	38·	66	52	22·	
Total ...	3,113	16·	1,326	42·	617	517	69·	

L.—Showing the number of appeals and applications for revision (cases) preferred, disposed of, and pending in the Court of the Judicial Commissioner in 1885.

District.	Appeals.			Applications for revision.			Remarks.
	Preferred.	Disposed of.	Pending.	Preferred.	Disposed of.	Pending.	
Lucknow	23	23	...	39	39	...	
Unao	42	42	...	11	11	...	
Bara Banki	31	30	1	19	17	2	
Sitapur	18	18	...	8	8	...	
Hardoi	29	29	...	27	27	...	
Kheri	9	9	...	8	8	...	
Fyzabad	18	18	...	22	22	...	
Bahraich	25	25	...	5	5	...	
Gonda	28	28	...	16	16	...	
Rae Bareli	23	23	...	17	16	1	
Sultanpur	9	8	1	113	98	15	
Partabgarh	9	9	...	8	8	...	
Total ...	264	262	2	293	275	18	

M.—*Showing the result as affecting persons of appeal and revision in the Court of the Judicial Commissioner in* 1885.

Sessions Division.	Appeals.						Applications for revision.					
	Rejected.	Sentence affirmed.	Sentence reversed.	Sentence varied.	Further enquiry ordered.	Otherwise disposed of.	Rejected.	Order affirmed.	Order reversed.	Order varied.	Further enquiry ordered.	Otherwise disposed of.
Lucknow	9	7	5	2	...	...	8	20	21	4	1	...
Unao	4	47	2	1	...	...	...	14	12	2	1	...
Bara Banki	6	16	7	6	...	...	2	12	6	2	...	...
Sitapur	...	18	1	...	...	...	...	8	3	4	...	...
Hardoi	...	36	3	1	...	...	8	10	3	6	7	...
Kheri	...	10	...	1	...	...	1	8	3	...	3	...
Fyzabad	4	13	1	2	...	...	2	23	42	1	3	...
Bahraich	14	19	4	1	...	...	...	1	22	1	...	...
Gonda	9	14	2	3	...	...	5	6	24	4	3	...
Rae Bareli	5	17	2	4	...	...	...	7	17	2	5	...
Sultanpur	3	6	...	1	...	...	8	202	200	...	3	...
Partabgarh	1	7	1	2	...	...	...	3	4	3	...	...
Total ...	55	210	28	24	...	...	34	314	357	29	26	...

N.—*Criminal business coming before the Court of the Judicial Commissioner in* 1885.

Description of cases.	Remaining from 1884.	Filed in 1885.	Disposed of in 1885.	Remaining at the close of 1885.	Remarks.
ORIGINAL BUSINESS.					
Appeals.					
By persons convicted. — From orders of Deputy Commissioners acting under section 34 of the Code of Criminal Procedure.	3	22	24	1	
By persons convicted. — Sessions Judges	6	241	246	1	
By Local Government. — From the judgment of acquittal of all Courts.	...	1	1	...	
Total	9	264	271	2	
References.					
Cases in which sentence of death passed by Sessions Judges was referred for conformation under section 374 of the Code of Criminal Procedure.	2	31	33	...	
Cases in which proceedings held against persons who could not understand them were referred for orders under section 341 of the Code of Criminal Procedure.	...	...	...	...	
Total	2	31	33	...	
Revision.					
Cases referred for revision by District Magistrates and Sessions Judges under section 438 of the Criminal Procedure Code.	...	98	98	...	
Cases dealt with by the Court under section 439 of the Code of Criminal Procedure—					
(1) Cases decided by Magistrates ...	39	146	170	15	
(2) Cases decided by Sessions Judges ...	1	49	47	3	
Total	40	293	315	18	
GRAND TOTAL	51	588	619	20	

ORDERS OF GOVERNMENT.

No. $\frac{2135}{\text{VI—835-2}}$ OF 1886.

RESOLUTION.

JUDICIAL (CRIMINAL) DEPARTMENT.

Dated Allahabad, the 4th November, 1886.

READ the following papers :—

(1) Note on the Administration of Criminal Justice in the North-Western Provinces during the calendar year 1885.

(2) Report on the Administration of Criminal Justice in Oudh during the calendar year 1885.

OBSERVATIONS.—The annexed table compares the number of cases reported with the number (1) found true and (2) brought to trial :—

STATEMENT No. 2.

	Reported.	Found true.	Brought to trial.	Percentage of column 2 to column 1.	Percentage of column 3 to column 2.	Reports to 10,000 population.
	1	2	3	4	5	6
North-Western Provinces ...	255,743	210,426	102,640	82	49	78·2
Oudh	71,765	57,725	28,982	80	50	62·9
Total ...	327,508	268,151	131,622	82	49	74·2

The number of persons tried and the number convicted are next compared with the total population :—

STATEMENT No. 2.

	Total population.	Number of persons tried.	Number of persons convicted.	Number of convictions to 10,000 population.	Percentage of convictions to persons tried.
	1	2	3	4	5
North-Western Provinces,	32,720,128	182,888	87,493	26·7	48
Oudh	11,407,625	55,223	26,245	23	48
Total ...	44,127,753	238,111	113,738	25·8	48

By grouping the offences for which convictions were obtained under the following heads—

(1) against public authority (statement II, heads 1 to 10) ;

(2) against the person (heads 11 to 18) ;

(3) against property (heads 19 to 28) ;

(4) miscellaneous (heads 29 to 33) ;

(5) under the Criminal Procedure Code, &c.—

and comparing each class separately with the total population, the following results are obtained:—

STATEMENT No. 2.

	Against public authority.	To 10,000 population.	Against the person.	To 10,000 population.	Against property.	To 10,000 population.	Miscellaneous.	To 10,000 population.	Under Criminal Procedure Code, &c.	To 10,000 population.
North-Western Provinces.	10,855	3·3	14,018	4·3	24,043	7·3	885	·27	37,092	11·5
Oudh	2,385	2·1	4,139	3·7	6,391	5·6	300	·263	13,030	11·4
Total ...	13,240	3·4	18,157	4·1	30,434	6·9	1,185	·26	50,722	11·5

The law works with great uniformity in the two provinces; but there is some difference in the number and classes of cases it has to deal with. Convictions under the Penal Code are more common in the North-Western Provinces than in Oudh, the proportion on equal numbers of the population being 15 to 11½. In both provinces they bear a very small proportion to the whole population—a fact which may probably be ascribed to the absence of any large class of a distinctly criminal character. As compared with the year before, crime is almost exactly stationary in the North-Western Provinces, while there is a decline of 1,949 convictions, or nearly 7 per cent., in Oudh.

2. The number of convictions in miscellaneous proceedings under the Criminal Procedure Code (Statement No. 3) is much greater for the same population in Oudh than in the North-Western Provinces, being 2·4 in the former and 1·31 in the latter to every 10,000. The number of persons bound over to keep the peace was, relatively to the population, twice as great in Oudh as in the North-Western Provinces.

3. The punishments inflicted during the year as compared with the population were—

	Capital.	Per million.	Transportation.	Per million.	Imprisonment above six months.	Per 10,000.	Imprisonment for six months and under.	Per 10,000.	Fines (persons).	Per 10,000.	Whipping.	Per 10,000.
North-Western Provinces.	70	2·14	228	7	5,311	1·62	17,736	5·42	60,187	18·4	3,408	1·04
Oudh	32	2·83	68	6	1,851	1·62	5,621	4·93	18,003	15·8	1,402	1·23

In heinous crime there is very little difference between the North-Western Provinces and Oudh. The chief difference is in short imprisonments and fines. The use made of whipping is 20 per cent. more in the latter province than in the former.

4. The amounts of fine imposed, realized, and awarded as compensation were:—

	Imposed.	Rupees per case.	Realized.	Percentage to amount imposed.	Awarded as compensation.	Percentage to amount imposed.
	Rs.		Rs.		Rs.	
North-Western Provinces...	2,64,720	4·4	2,29,176	86	10,032	3 7
Oudh	84,392	4 7	72,880	86	28,052	33 2

The Judicial Commissioner remarks that he should be glad to see the provisions of section 250, Criminal Procedure Code, more freely employed. In the North-Western Provinces action seems hardly ever to be taken under either that section or section 545; and it is the intention of the Hon'ble the High Court to call the attention of all courts to this subject.

5. The average duration of cases was five days in the North-Western Provinces, and 6·06 in Oudh, and the average number of witnesses examined in each case, 3·3 in the former and 3 in the latter province. The payments made to witnesses are compared in the following table:—

	Number of witnesses examined.	Amount paid.	Rupees per witness.
		Rs.	
North-Western Provinces	345,267	35,788	·11
Oudh	88,270	23,175	·26

If only those witnesses who were paid diet-money are taken into account, the average cost of each in Magistrate's Courts was 5 annas 11 pies in the North-Western Provinces and 7 annas 10 pies in Oudh. It follows that a much larger proportion of the whole number of witnesses examined were paid in the latter than in the former province. In both provinces the sums paid on this account were considerably greater in 1885 than they had been in previous years.

6. The total number of appeals and revisions, and the proportion of sentences which remained unaffected, were as follows:—

	Appeals for revision.	Percentage to total number of persons convicted.	Sentences upheld.	Percentage to total number of appeals.
North-Western Provinces ...	18,283	21	12,153	66 5
Oudh	4,896	18 6	3,272	67

There seems to be some difference in the way in which the duration of appeals is calculated. In the High Court it is given as 28 days when the appeal is brought by persons convicted, and 102 days when by Government. In the Court of the Judicial Commissioner the periods are ·17 and ·90 respectively. In the latter case it is clear that either a misprint has remained uncorrected, or the calculation has not been properly made.

7. The number of cases disposed of by the unpaid Magistracy was 21,985 in the North-Western Provinces and 7,155 in Oudh, and amounted altogether to nearly a quarter of the whole number of cases disposed of by courts of every description. The most noticeable feature in this connexion is the great increase in the activity of the benches in the North-Western Provinces, who have decided no less than 10,320 cases, the total in 1883 having been 2,270 only. The assistance thus given to the criminal administration has been considerable; the quality of the work is reported to be good, and the value of the services rendered by this branch of the Magistracy is highly appreciated by the Government. The Lieutenant-Governor and Chief Commissioner has noticed with much pleasure that the work both of the Benches and of Honorary Magistrates is specially acknowledged and commended in these papers.

8. The total number of cases tried by juries or assessors in each province was as follows:—

1	2	3	4	5	6	7
	Juries.	Assessors.	Judge agreed with jury.	Percentage of column 4 to column 2.	Judge agreed with assessors.	Percentage of column 6 to column 3.
North-Western Provinces ...	65	1,248	61	94	928	74
Oudh	23	260	22	96	199	77

In the previous year the percentage of cases where the Judge agreed with the assessors was 72 per cent. in both provinces, so that the percentages of 1885 show some increase. Jury trial was introduced in 1885 for certain classes of offences in the Courts of Session at three of the principal cities; and the system appears to have worked well.

9. The proceedings, with the statements annexed, contain, in clear and concise form, much valuable information regarding the administration of criminal justice in the provinces under this Government.

ORDER.—Ordered that a copy be forwarded to the Registrar to the High Court of Judicature for the North-Western Provinces for communication to the Honorable Court.

Ordered also that a copy be forwarded to the Judicial Commissioner, Oudh, and to all District Officers, North-Western Provinces and Oudh, for information.

Ordered also that extract, paragraphs 1 and 7, be forwarded to the Magistrates and Deputy Commissioners named below for communication to the Benches and Honorary Magistrates noted against their districts:—

District.	Benches and Honorary Magistrates.
Magistrate of Cawnpore ..	Bench of Honorary Magistrates.
Ditto Sháhjahánpur ...	City Bench and Jalalabad Bench and Kunwar Fateh Singh and Thakur Narayan Singh.
Ditto Agra	Bench of Honorary Magistrates.
Ditto Moradabad ...	Bench of Honorary Magistrates at Moradabad and Chandausi, and Chaudhri Dhyan Singh, Maulvi Jafar Ali, and Raja Krishn Kunwar.
Ditto Meerut	Bench of Honorary Magistrates.
Ditto Gházipur	Ditto ditto.
Ditto Bulandshahr ...	Ditto ditto.
Ditto Azamgarh ...	Ditto ditto.
Ditto Jaunpur	Ditto ditto.
Ditto Pilibhít	Ditto ditto.
Ditto Bánda	Ditto ditto.
Deputy Commissioner, Lucknow ...	Bench of Honorary Magistrates and Sah Gobardhan Das, Bábu Sheo Parshad, and Munshi Ghazaffar Husain.
Ditto, Fyzabad ...	Bench of Honorary Magistrates.
Ditto, Sitapur ...	Ditto ditto.
Ditto, Rae Bareli ...	Ditto ditto.
Ditto, Hardoi ...	Bench of Honorary Magistrates and Mir Danish Ali.
Ditto, Bara Banki ...	Bench of Honorary Magistrates and Rae Maharaj Bali and Saiyad Iltafat Husain.
Ditto, Gonda ...	(1) Bhaiya Shambhu Dat Ram Pande, (2) Mir Muhammad Husain Khan, and (3) Bhaiya Tribhuandat Ram Pande.
Ditto, Bahraich ...	Munshi Muhammad Yasin and Raja Jang Bahadur Khan.
Ditto, Partabgarh ...	Raja Rampal Singh.

By order, &c.,

W. C. BENETT,

Secy. to Govt., N.-W. P. and Oudh.